

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

ALERT J. VALENTUKONIS,	:	
Plaintiff	:	CIVIL ACTION NO. 1:06-0922
v.	:	(CALDWELL, D.J.) (MANNION, M.J.)
	:	
JEFF RHONE, WILLIAM SHAW, and CHESTER HAWKINS,	:	
Defendants	:	

REPORT AND RECOMMENDATION

On May 4, 2006, the plaintiff, an inmate at the State Correctional Institution at Rockview, Bellefonte, Pennsylvania, filed this civil rights action pursuant to 42 U.S.C. §1983. (Doc. No. 1). In addition, the plaintiff filed the appropriate application to proceed in forma pauperis, (Doc. No. 2), and authorization form, (Doc. No. 3). As a result, a financial administrative order was issued. (Doc. No. 4).

By order dated May 24, 2006, the plaintiff was directed to file an amended complaint, within 30 days, which met the requirements of §1983, as well as the Federal Rules of Civil Procedure. The plaintiff was advised that his failure to file an amended complaint within the specified time would result in a recommendation that the instant action be dismissed. (Doc. No. 8). As of the date of this report, the plaintiff has failed to file an amended complaint as directed by the court.

On the basis of the foregoing, **IT IS RECOMMENDED THAT:**
the plaintiff's complaint be **DISMISSED** for his failure to follow the
court's order dated May 24, 2006.

S/ Malachy E. Mannion
MALACHY E. MANNION
United States Magistrate Judge

Date: September 11, 2006

O:\shared\REPORTS\2006 Reports\06-0922.01.wpd